IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Bail Appl..No. 2698 of 2007

CRIME NO.178/07 OF VIZHINJAM POLICE STATION

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PETITIONERS/ACCUSED:

1. SAJITH M.S., AGED 32 YEARS,
   SUDHI VIHAR, MULLOOR P.O., VIZHINJAM,
   THIRUVANANTHAPURAM.

2. M.C.SUKUMARAN NAIR, AGED 56 YEARS,
   RESIDING AT DO. DO.

3. SREEKUMARI AMMA, AGED 54 YEARS,
   RESIDING AT DO. DO.

4. SUDHI, RESIDING AT DO. DO.

5. ANILKUMAR, RESIDING AT DO. DO.

BY ADV. SRI.S.GOPAKUMARAN NAIR

RESPONDENTS/COMPLAINANT AND STATE:

1. SUB INSPECTOR OF POLICE,
   KOLLAM EAST POLICE STATION,
   REP. BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. THUSHARA S.S., AISWARYA,SANTHIVILA,
   NEMOM, THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.RAVINDRABABU

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.Balachandran, J.

B.A.No. 2698 of 2007

ORDER

This is an application for anticipatory bail filed under Section 438 Cr.P.C.

2. The petitioners are Accused Nos.1 to 5 in Crime No.178/07 of Vizhinjam Police Station, registered for offence under Section 498A IPC read with Section 34 thereof. Having considered the entire circumstances of the case, I am of the view that the petitioners can be granted anticipatory bail, imposing stringent conditions.

In the result, I allow this bail application and direct that:

(i) the petitioners do surrender before the learned Magistrate concerned positively within fifteen days from today;

(ii) that on such surrender and on each of them depositing, by way of cash security, an amount of Rupees five thousand and executing bail bond for Rupees twenty thousand with two solvent sureties

each for like sums to the satisfaction of the learned Magistrate concerned, the petitioners shall be enlarged on bail;

(iii) that on such release the petitioners shall co-operate with the investigation in the case and shall report before the Investigating Officer between 10 a.m. and 11 a.m. on all Tuesdays and Fridays for a period of two months and thereafter on all Tuesdays only, till the investigation in the case is over and final report is laid; and

(iv) that the grant of anticipatory bail shall not stand in the way of the learned Magistrate granting custody of the petitioners to the Investigating Officer for questioning, if the Investigating Agency so asks for and the learned Magistrate deems it fit to grant, considering the circumstances of the case.

4th May, 2007 (K.P.Balachandran, Judge)

tkv